

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Telecommunications Relay Services,
and Speech-to-Speech Services for
Individuals with Hearing and Speech
Disabilities

CC Docket No. 98-67

COMMENTS OF HAMILTON RELAY, INC.

Hamilton Relay, Inc. (Hamilton), by its attorneys, submits these comments to support the Petition for Clarification – Provision of and Cost Recovery for CapTel, An Enhanced VCO Service, filed by Ultratec, Inc. (Ultratec) on April 12, 2002 (Petition). Consistent with Ultratec's requests, Hamilton urges the Commission to clarify both: (1) that Captioned Telephone (CapTel) is an enhanced version of Voice Carry Over (VCO) service that merits speedy approval for cost recovery as a "functionally equivalent" relay service advancing the objectives of Title IV of the Americans with Disabilities Act (ADA) and (2) that the standards identified by Ultratec do not apply to this improved, convenient and user-friendly form of VCO service.

Hamilton currently provides relay services under contract for six states, including Nebraska, Idaho, Louisiana, Kentucky, Wisconsin, and Rhode Island. Hamilton is a participant in the CapTel trial in the State of Wisconsin, one of the trials described in the Petition. The Wisconsin trial has met with encouraging success and acceptance. Because the service "feels" more like using conventional voice telephone service, with direct dialing of the called party's number and simultaneous delivery of the actual voice and the written version generated when the

CA re-voices the message, it is less intrusive and more "natural" for the call participants. Both existing relay users and new customer groups benefit. Users who become hearing impaired later in life find it easier to adjust to CapTel. Users with residual ability to hear are able to supplement what they hear with the text display. By reaching a segment that has traditionally been reluctant to use relay, CapTel will allow relay to become more ubiquitous.

As Ultratec has explained (pp.11-18), the service fulfills the intent of the ADA to increase the "functional equivalency" of relay services to the services obtained by those without disabilities. The service is within the relay services that the ADA expected would develop and become eligible for reimbursement under the Commission's rules.

Expedited clarification that CapTel costs are reimbursable should be coupled with clarification that certain "minimum mandatory standards" are not applicable to CapTel. Hamilton agrees with Ultratec (pp. 20-21) that the Commission should persist in its practice of relaxing certain standards to facilitate deployment and availability of improved technology.

Accordingly, we support the request for clarification that standards for video relay, speech-to-speech relay and hearing carry over (HCO) are not applicable to CapTel. The Commission should grant the petition and encourage deployment and use of CapTel to the benefit of the hearing impaired community and those that call or are called by them.

Respectfully submitted,

HAMILTON RELAY, INC.

By: /s/ Margot Smiley Humphrey
Margot Smiley Humphrey
Holland & Knight LLP
2099 Pennsylvania Avenue,
Suite 100
Washington, DC 20006
(202) 955-3000

July 26, 2002

CERTIFICATE OF SERVICE

I, Vicki Redman, employee of Holland & Knight LLP, 2099 Pennsylvania Avenue, Suite 100, Washington, D.C. 20006, do hereby certify that a copy of the foregoing Comments of Hamilton Relay, Inc. was served on this 26th day of July, 2002, via hand delivery or by first class mail, to the following parties:

Pamela Y. Holmes
Director, Consumer & Regulatory Affairs
Ultratec, Inc.
450 Science Drive
Madison, WI 53711

/s/Vicki Redman

*Via First Class Mail

